

C O N F I D E N T I A L SECTION 01 OF 03 BAGHDAD 002834

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SUBJECT: ATTORNEY GENERAL MEETS WITH IRAQI PM, LAW AND JUSTICE OFFICIALS

Classified By: Classified by Acting Political-Military Counselor Evan Reade for Reasons 1.4 (b) and (d)

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SUMMARY

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¶1. (C) On Sunday, June 3, 2005, Attorney General Alberto Gonzales and FBI Counterterrorism Assistant Director Willie Hulon met with senior MNF-I and Embassy officials, Department of Justice and FBI personnel, Iraq's Prime Minister, senior Iraqi justice leaders, and US military forces recovering at the International Zone's Combat Support Hospital. Reports on the Attorney General's and Mr. Hulon's meetings with Iraqi government officials follow.

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WORKING JUSTICE LUNCH AT THE EMBASSY  
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¶2. (C) After a brief delay at Baghdad International Airport occasioned by a morning sandstorm, the Attorney General and Mr. Hulon arrived in the International Zone and attended a working lunch with Minister of the Interior Jabr, Chief Justice Medhat, and Judge Jamal, President of the Iraqi Special Tribunal. The lunch was held at the Embassy Annex and hosted by the Charge d'Affaires.

¶3. (C) The Attorney General opened by expressing his gratitude to be in Iraq and his congratulations for the work being done to build democracy in Iraq, the success of which is, he noted, important for the United States as well as the Iraqi people. The Department of Justice has been working in Iraq since 2003, he said, and he is personally committed to the dedication of DOJ resources, especially given the difficulty of achieving democracy without rule-of-law.

¶4. (C) At this point, the Attorney General introduced Maxwell Wood, the US Attorney in Macon, Georgia, who will arrive soon in Baghdad as the new head of DOJ's Iraq delegation, and expressed his "total confidence" in his new delegate.

¶5. (C) Judge Medhat welcomed the Attorney General on behalf of the Supreme Juridical Council, and spoke briefly about developments in the Iraqi justice system, which is now, he said, fully integrated, with the courts reaching out to all government services to involve them in the establishment of rule-of-law and democracy in Iraq. He explained that for the first time, the MOI and the Supreme Council are working together, side-by-side, in all sectors.

¶6. (C) The Minister of the Interior noted that he wished the Attorney General had more time to spend in Iraq to observe the workings of the MOI and MOJ, and said he took pride in the independence of Iraqi justice. Three days ago, he noted, he had received an order to arrest an Iraqi Police Commando leader - and that while he had been hesitant to enforce the judge's order, he had to respect the rule-of-law.

¶7. (C) The conversation turned to specific issues of interest to the Attorney General, including the long-term prospects of Coalition detainees in Iraq, the protection of Iraqi judges, and the President's personal interest in the investigation and prosecution of high-profile cases, including kidnapping and assassination, committed against Iraqi government officials.

¶8. (C) On the last point, the Attorney General stressed the importance of these investigations for rule-of-law, noted his support for a joint task force of US and Iraqi investigators and prosecutors, and said that the USG "wanted to do whatever we can to help develop professional police, prosecutor, and judicial systems".

¶9. (C) Judge Medhat thanked the Attorney General for his generous offer, and noted that while MNF-I had given "a lot" and MOI had put forward great effort,

the Iraqi justice system is still in need of assistance, including financial assistance for 800 Iraqi judges who require personal security details. What the Iraqi justice system has accomplished so far is, Judge Medhat said, greater than that Iraqi resources alone would have enabled given the Iraqis to achieve given their "brotherly coalition" with MNF-I.

¶10. (C) A discussion of corruption was sparked by the Attorney General's query, to the assembled, of which posed a greater danger to Iraq - corruption, or the insurgency. Both, replied the Minister of the Interior, but the insurgency had to be tackled first. Judge Medhat suggested that corruption contributed to the insurgency, and that defeating one would help defeat the other.

¶11. (C) The Minister of the Interior followed with a summary of the current state of the insurgency, which he traced to foreign terrorists entering Iraq from neighboring countries, and members of the old regime. Iraq needs the support of neighboring states, especially Syria, to stop foreigners from coming in, he said. As for the members of the old regime, he believes they would be able to get rid of these elements quickly - except for the recent rise in suicide bombers.

¶12. (C) The fight in Iraq, the Minister said, is a fight with international terrorism, and the whole world should stand and fight -- which is what happened in Brussels. The Minister then thanked the USG and American people for their assistance in Iraqi governance, democracy, and elections, and noted that these developments in Iraq are starting to affect neighboring countries whose governments are "afraid of freedom".

¶13. (C) Attention turned to the President of the Iraqi Special Tribunal, who provided an update on the tribunal's status, saying that investigations were taking place in the proper manner, and that the tribunal remained independent of the government. Judge Jamal concluded by requesting USG assistance in procuring apartments in the International Zone for IST judges. "My judges are courageous", he said, "but safety is also good."

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THE IRAQI PRIME MINISTER AND ATTORNEY GENERAL MEET  
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¶14. (C) PM Ja'afari opened the meeting by welcoming AG Gonzalez, saying that he had enjoyed fruitful meetings with the President, SecState, and National Security Adviser several days earlier in Washington. The AG commended Ja'afari's progress in promoting democracy and the rule of law in Iraq, noting that the birth of a democracy can be difficult, but that it is impossible without the rule of law. The AG expressed his personal commitment to Ja'afari and the Iraqi government to provide whatever help DOJ could, including advice, training, and resources.

¶15. (C) Ja'afari, again demonstrating his interest in U.S. history, quizzed the AG on the two former U.S. presidents who had died on July 4. He discussed the fact that the U.S. constitution had evolved since its inception, and noting the number of amendments throughout its history. Ja'afari noted that he wanted a constitution for all Iraqis, not just for the majority or just for the minority. He emphasized that the diversity of Iraq was even greater than that of the United States, but suggested that Iraq would start -- with the equal rights of women and minorities, and the acceptability of intermarriage -- where the U.S. constitution and laws ended up. He spoke briefly of the need to include in the Iraqi constitution a recognition that the majority of Iraqis are Muslim.

¶16. (C) Ja'afari took the opportunity to articulate Iraq's need for a constitutional awareness campaign, noting that he hoped to get the Iraqi citizens to a certain level of understanding about the process and content of the constitution. He spoke of collecting points of view from different sectors and people, also noting that he wanted to achieve the draft constitution by August 15.

¶17. (C) AG Gonzalez introduced to PM Ja'afari the new Justice Attaché, Mr. Wood, who assumes his post at the Embassy in a week. The AG also raised the USG's concern about the long-term issue of detainees in Iraq and how the Iraqis might eventually assume detention responsibilities for individuals it is unable to charge under its criminal laws. PM Ja'afari seemed to

focus on those held by MNF-I against whom criminal charges can be brought; when the AG noted that the concern was with those Iraq could not charge criminally, the PM mentioned that Iraq could get "guarantors" for the detainees, prohibit them from leaving the country, and so on. (Comment: The Prime Minister does not seem to have given much thought to this problem, including its scope or possible solutions. End comment.)

¶18. (C) Ja'afari concluded the meeting with a discussion of terrorism in Iraq; both he and the AG agreed that Iraq was on the front lines of the war on terrorism. The PM noted that the Iraqi people have two pictures of the American presence in Iraq. On the one hand, they see the positive diplomatic presence, which is evidenced by the fact that people wave at the helicopters they see flying overhead. On the other hand, they see innocent people killed for taking a misstep or making a sudden move in a car. Ja'afari cautioned that MNF-I needed to be sensitive in dealing with Iraqi civilians and look into events in which civilians were injured or killed by MNF-I forces. In conclusion, Ja'afari mentioned that he had visited wounded U.S. soldiers while he was in Washington and that America should be proud that it has children who came to Iraq to fight against oppression.

¶19. (C) This cable was not cleared by the Attorney General prior to his departure.  
Satterfield